

☐ Conversion
☐ Update
☒ Informal Review
☐ Formal Review



STATE OF MONTANA MONTANA DEPARTMENT OF TRANSPORTATION JOB PROFILE AND EVALUATION

SECTION I - Identification

Working Title: Motor Carrier Enforcement Officer
Class Code Number: 536554
Class Code Title: Motor Vehicle Safety Inspector
Pay Band: 4

Department: Transportation
Division & Bureau: Motor Carrier Services
Section & Unit: Enforcement
Work Address: 2701 Prospect Avenue
Helena, MT 59620

Position Number : See enclosed list

22002, 22003, 22006, 22008, 22009, 22011, 22012, 22013, 22016, 22017, 22020, 22021, 22023, 22025, 22026, 22027, 22028, 22031, 22032, 22036, 22037, 22039, 22043, 22045, 22046, 22049, 22050, 22053, 22054, 22055, 22056, 22058, 22059, 22060, 22064, 22065, 22070, 22074, 22075, 22076, 22079, 22083, 22084, 22087, 22088, 22089, 22090, 22091, 22093, 22094, 22095, 22096, 22097, 22098, 22099, 22100, 22101, 22102, 22103, 22104, 22105, 22106, 22107, 22108, 22109, 22110, 22111, 22112, 22113, 22114, 22117, 22118, 22122, 22123, 22125, 22126

☐ FLSA Exempt ☒ FLSA Non-Exempt

Profile done by: Daniel Moore

Work Phone: 444-0454

Work Unit Mission Statement or Functional Description:

The Motor Carrier Services Division (MCS) protects Montana's highway system and ensures traveling public safety by regulating the motor carrier industry and enforcing commercial and agricultural motor carrier laws, rules, and regulations. MCS licenses and permits commercial vehicles under law and/or agreement and establishes state policy on national and international commercial motor carrier and non-economic trade barrier issues. MCS includes the Licensing and Permitting Bureau, Operations Bureau, and the Enforcement Bureau which control:

- Commercial vehicle size and weight enforcement
- HVUT Administration and Certification
- Montana's Motor Carrier Safety Assistance Program (MCSAP) Program
- Fuel tax evasion and dyed fuel enforcement
- Commercial vehicle oversize/overweight permitting
- Commercial vehicle and fleet vehicle licensing
- Administration of the International Registration Plan (IRP) for Montana
- Montana's national and international commercial vehicle rules and policies
- PrePass weigh station bypass program in Montana
- MDT's Intelligent Transportation System/Commercial Vehicle Operations Program
- Montana's Commercial Vehicle Information System Network (CVISN) program

Enforcement Bureau:

The Enforcement Bureau consists of a Bureau Chief, three supervisors, three Training Officers and 67 uniformed Montana peace officers protecting Montana's highway system and ensuring public safety by enforcing commercial and agricultural vehicle and driver laws, rules, and regulations. The bureau implements the Federal Highway's Administration (FHWA) Commercial Vehicle Size and Weight

Enforcement Plan and certifications to maintain eligibility for federal highway construction funding. MCS officers serve at 21 remote weigh stations across the state and on the open road. They complete fuel tax evasion investigations, enforce livestock shipping regulations, complete customs inspections, enforce the MCSAP safety program, and provide peace officer assistance to other Montana law enforcement agencies.

Describe the Job’s Overall Purpose:

This position regulates the international, interstate, and intrastate commercial and agricultural motor carrier industry and enforces international, federal, and state commercial motor carrier laws at both fixed and mobile locations throughout Montana. MCS Enforcement Officers regulate and enforce law individually or with other officers, in densely populated and remote areas of the state. Officers have full autonomous decision-making authority on a wide range of regulation and enforcement issues, including height, width, and weight restrictions, vehicle licensing and motor fuel tax requirements, hazardous material transportation restrictions; and vehicle, operator, and load safety. This is completed following the principles and practices of professional law enforcement, combined with federal and state motor carrier laws, and policy and regulations specific to each of these individual areas in order to maintain Montana’s eligibility for full highway construction funding.

SECTION II - Major Duties or Responsibilities	% of time
<u>Enforces Federal and Montana commercial and agricultural transportation laws</u>	<u>90%</u>
Inspects and analyzes both commercial and agricultural vehicles and their drivers to interpret, clarify, explain, apply, and ensure compliance with, and enforcement of, applicable federal and state laws, regulations, and agency rules, standards and guidelines for commercial and agriculture vehicle operation. This includes conducting formal and informal roadside and fix-facility commercial vehicle and driver safety inspections following the professional principles and practices of the law enforcement profession, where operators may attempt to deny or hide information and give conflicting, fictitious, or deliberately deceptive information from a large number of sources.	
Considers multiple, often conflicting variables and conditions to professionally enforce laws, rules and regulations through the issuing citations, warnings, and out of service orders; and arrests operators for violations of federal and state laws, rules, and regulations.	
Applies professional knowledge of the rules, procedures, and methods of enforcement and investigation to enforce and mitigate state and federal fuel tax evasion by carriers. This includes collecting, recording, preserving, and filing records, documents, and oral statements during fuel tax evasion investigations.	
Uses practical problem-solving methods to complete post-crash vehicle inspections and determine pre-crash condition of vehicle, driver, equipment, and commercial loads. This includes collecting, recording, preserving, and filing records, documents, and oral statements during post-crash vehicle inspection investigations.	
Interprets, explains, clarifies, and applies agency policy and procedures, business practices, and federal and state laws, regulations, and rules; determines their applicability and suitability to ever-varying circumstances; and ensures compliance with federal and state, financial, data, statistics, reporting and recordkeeping requirements.	
Collects and reports data and statistical information required by the Federal Highway Administration (FHWA) for Montana’s Commercial Vehicle Size and Weight Enforcement Plan and the Motor Carrier Safety Assistance Program (MCSAP) program as required by Federal Motor Carrier Safety Administration (FMCSA) to maintain eligibility for full highway construction funding.	

Monitors, transmits, and received information over multiple radio frequencies to detect emergencies, exchange information and provide emergency support services to the public and other law enforcement agencies.

Testifies as a professional expert witness at hearings or in district court.

Analyzes data provided from CVSIN applications including, PrePass AVI, ACS Preview and the State Truck Activity Reporting System (STARS).

Other duties as assigned

10%

“Officers assigned to scales located near state borders may be required to become familiar with and enforce laws, rules and requirements of that neighboring state”.

Performs other business and/or physical duties to support the State of Montana, the Montana Department of Transportation and/or the position’s assigned work at various locations.

Supports other professional law enforcement organizations across the state, including the Montana Highway Patrol, county sheriff’s departments, and local municipal and tribal police departments.

Specific examples of problems solved, decisions made, or procedures followed when performing the most frequent duties of this position.

The position’s most frequent duty is to professionally analyze and investigate vehicles, drivers, records and documents to determine whether or not the vehicle or driver is compliant with state or federal laws under conditions where the operator may be honest, less than truthful, or openly deceptive. If an officer determines a vehicle or driver is non-compliant, they are empowered to decide which laws supercede or have precedence; which specific law or regulation is applicable to the situation; and whether mitigating circumstances or safety conditions should be taken into consideration. This position exercises considerable professional discretion regarding level of enforcement action taken and the appropriate response to resolving these recurring professional assignment responsibilities.

For example:

- This position audits documents pertaining to vehicle license and registration, permits, load, equipment lease, drivers record of duty status, drivers health, drivers license and endorsements, carrier operating authority, fuel taxes, and maintenance records for deception and non compliance using networked and non-networked computer software programs including, ACS Permitting, PreView, Query Central, CDLIS, Montana Dyed Fuel System, Aspen, PC miler, VIN Assist, and MCRgis.
- If a vehicle or driver is found non-compliant, this position is empowered to decide appropriate enforcement action to be taken, which may include up to the issuing of a courtesy warning ticket, a citation with civil or criminal penalties, or the arrest the vehicle operator.
- While physically examining critical vehicle equipment and loads to assure proper conditions exist for the safe operation on Montana highways, this position determines if infractions are severe enough to require the vehicle or driver be placed out of service or repaired before continued operation.
- Conducts Post Crash Vehicle inspections to reduce probable equipment causes of commercial vehicle crashes.

Each of these decision points fall within the position’s recurring professional discretion as a peace officer, the position must solve these and other enforcement problems based on scares or conflicting data, and make the necessary associated decisions using formal law enforcement training, legal precedent, safety inspection training, situation control techniques, and professional principles and practices.

The most complicated aspect of this position is?

This position has police-power to assess conditions and analyze commercial and agriculture vehicles and operators, determine required courses of action, direct corrective actions, remove vehicles from service, write citations, and arrest operators for discovered non-compliant vehicle licensing, loading, driving, safety and restricted operation violations. Citations and arrest authority contain both civil and criminal penalties. These actions include a full range of difficult hazardous material and hazardous vehicle loading regulations, unsafe equipment conditions, illegal fuel uses, and the unsafe and unqualified operation by drivers.

This empowerment requires understanding of an extensive range of international, national, and multi-state laws which are sometimes variable and conflicting, and include assessment of medical, physical, training, certification, licensing, shipping, insurance, tax assessment, fees, and permits.

This position must resolve complex, contradictory, and often precedence-setting commercial carrier problems with a significant impact on the highway safety and the transportation industry. This includes investigation of potential fraudulent documents or procedures regarding motor carrier safety, tax and licensing issues.

Guidelines, manuals or written procedures support for this position are?

Montana Code Annotated; Administrative Rules of Montana; Parts 23 and part 49 of the Code of Federal Regulations; National Uniform Vehicle Inspection (NUVI) out-of-service criteria, NIST Weights and Measures Handbook 44; Montana Operation Manual (MOM); Department of Transportation policies and procedures; MCS operations manual; and PrePass agreements.

Which of the duties and/or specific tasks listed under 1. (above) are considered “essential functions”

All duties listed are essential functions which require the ability to work on a reoccurring basis on one's feet for extended periods of time; stoop, crouch, squat, stretch, reach, and lay on one's back for extended periods of time; rotate one's head and shoulders as necessary to perform CVSA Level One inspections and motor fuel tank inspections; work on surfaces located up to 30 feet off the ground; and climb on top of, under, and around commercial vehicles. This position requires the ability to work out-of-doors in all weather conditions, work on rough terrain or rocky surfaces and complete reoccurring physically demanding activities including snow shoveling and housekeeping.

Must have the ability, on a reoccurring basis, to lift portable scales from the back of an MCS vehicle to the ground and vise-versa, and to place scales correctly under the tires of a commercial vehicle as necessary. (MCS Patrol requirement only)

Does this position supervise others? ☐ Yes ☒ No

Attach an Organizational Chart.

SECTION III - Minimum Qualifications - List minimum requirements for the first day of work.

Knowledge and skills required for this position:

KNOWLEDGE

Law and Government — Knowledge of laws, legal codes, court procedures, precedents, government regulations, executive orders, agency rules, and the democratic political process

Public Safety and Security — Knowledge of relevant equipment, policies, procedures, and strategies to promote effective local, state, or national security operations for the protection of people, data, property, and institutions

English Language — Knowledge of the structure and content of the English language including the meaning and spelling of words, rules of composition, and grammar

Education and Training — Knowledge of principles and methodology of law enforcement. Training as required to become a peace officer and comply with federal and state operating, reporting and financial requirements. Training in self-defense, arrest procedures, DUI testing, and chain-of-evidence requirements.

Psychology — Knowledge of human behavior and performance; individual differences in ability, personality, and interests; learning and motivation; psychological research methods; and the assessment and treatment of behavioral and affective disorders

Customer and Personal Service — Knowledge of principles and processes for providing customer and personal services. This includes customer needs assessment, meeting quality standards for services, and evaluation of customer satisfaction

Telecommunications — Knowledge of transmission, broadcasting, switching, control, and operation of telecommunications systems

Transportation — Knowledge of principles and methods of the commercial motor carrier industry.

Technology — Knowledge of personal computers, telecommunications systems and specialty enforcement, service and reporting software applications.

Mathematics — Knowledge of arithmetic, algebra, geometry, calculus, statistics, and their applications.

Clerical — Knowledge of administrative and clerical procedures and systems such as word processing, managing files and financial records, and other office procedures and terminology.

Computers and Electronics — Knowledge of circuit boards, processors, chips, electronic equipment, and computer hardware and software, including applications and programming

SKILLS

Active Listening — Giving full attention to what other people are saying, taking time to understand the points being made, asking questions as appropriate, and not interrupting at inappropriate times

Active Learning — Understanding the implications of new information for both current and future problem-solving and decision-making.

Judgment and Decision Making — Considering the relative costs and benefits of potential actions to choose the most appropriate one

Critical Thinking — Using logic and reasoning to identify the strengths and weaknesses of alternative solutions, conclusions or approaches to problems

Social Perceptiveness — Being aware of others' reactions and understanding why they react as they do.

Speaking — Talking to others to convey information effectively

Writing — Communicating effectively in writing as appropriate for the needs of the audience

Reading Comprehension — Understanding written sentences and paragraphs in work related documents

Operation and Control — Controlling operations of equipment or systems.

Coordination — Adjusting actions in relation to others' actions

Negotiation — Bringing others together and trying to reconcile differences

Time Management — Managing one's own time and the time of others

Persuasion — Persuading others to change their minds or behavior.

Service Orientation — Actively looking for ways to help people.

Behaviors required to perform these duties?

Analytical/Interpretive Thinking: Accurately applies general and broadly stated standards and rules to specific circumstances.

Decision Making: Evaluates multiple and ambiguous factors to resolve problems. Develops technically and legally defensible courses of action in response to unusual and unprecedented licensing and permitting problems.

Communication: Translates technical information to audiences of varied technical levels. Negotiates specific terms and conditions of contract, corrective action, punitive, and other agreements.

Independence of Action: Determines appropriate responses to commercial vehicle enforcement issues and problems with minimal assistance or precedent.

Innovation: Identifies need for new approaches, services, and capabilities in unique circumstances. Recommends innovative or cutting edge programs and processes. Enhances new ideas, products, and services through challenging assumptions and creative thinking.

Education:

Check the one box indicating minimum education requirements for this position for a new employee the first day of work:

- ☒ High school diploma or GED required
☐ 1-year college/voc. training
☐ AAS/2-years college/vocational training

- ☐ Bachelor's Degree
☐ Master's degree

Experience:

Check the one box indicating minimum work-related experience requirements for this position for a new employee the first day of work:

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> 6 years |
| <input checked="" type="checkbox"/> 1 year | <input type="checkbox"/> 7 years |
| <input type="checkbox"/> 2 years | <input type="checkbox"/> 8 years |
| <input type="checkbox"/> 3 years | <input type="checkbox"/> 9 years |
| <input type="checkbox"/> 4 years | <input type="checkbox"/> 10 years |
| <input type="checkbox"/> 5 years | <input type="checkbox"/> Other _____(be specific) |

Other specific experience: One year experience in a policing, military or public service regulatory organization.

Alternative Qualifications:

This agency will accept alternative methods of obtaining necessary qualifications.

☒ Yes ☐ No

Will education substitute for the required experience? Yes. If yes, specify degrees: Any regulatory public-service related degree such as Police Science, Protective Services, Emergency Management, or Criminal Justice or other education acceptable to the selection committee.

Experience in Public Service, Public or Military service in a police, security, or combat-arms related military occupational specialty, Law Enforcement Academy and training courses will be evaluated on a case by case basis.

Other combinations of education and experience that would provide the equivalency (as evaluated on a case-by-case bases).

Additional Education and Position Requirements

Applicants must comply with title 7-32-303 MCA which state that no peace officer in the State of Montana shall be appointed who does not meet and or agree to the following peace officer employment, education and certification standards.

- Be a citizen of the United States, at least 18 years of age; pass a finger-print passed criminal records check with no conviction of a crime for which the person could have been imprisoned in a federal or state penitentiary; be of good moral character, as determined by a thorough the background investigation; be examined by a licensed physician appointed by the employing authority to determine the applicant is free from any mental or physical condition that might adversely affect performance of the duties of a peace officer.
- Must successfully complete an oral examination to demonstrate possession of communication skills, temperament, motivation, and other characteristics necessary to accomplish the duties and functions of a peace officer;
- Possess or be eligible for, and constantly retain a valid Montana driver's license.
- Must take and continually comply with a formal oath of office.

SECTION IV – Other Important Job Information

A formal 2-step MCS Officer Career Ladder covers this position. Between date of hire and advancement to MCS Officer II status the MCS Officer I must meet the following requirements.

- Successfully complete a structured On-The-Job (OJT) training program within six months of hire.
- Graduate from, or be a graduate of, the Montana Law Enforcement Academy (MLEA).
- Successfully complete Commercial Vehicle Safety Alliance (CVSA) Parts A, and B, Hazardous material, and Bulk Package (tanker) inspection courses.
- Have and retain a basic POST certificate from the Montana Peace Officer Standards and Training

(POST) counsel.

- Be eligible for, obtain, and retain a valid Canadian Work Visa (requirement for Coutts/Sweatgrass Port-of-Entry positions only)

MCS Officer II requirements:

- Complete two years of service as an MCS Officer I (from the first date of hire)
- Retain CVSA Level One, Hazardous Material, and Bulk Package (tanker) Inspector Certification.
- Retain POST MCS Basic or its equivalent certificate.

SECTION V – Signatures

Signature indicates this statement is accurate and complete.

Employee:

Name: Title

Signature Date

Immediate Supervisor:

Name: Title

Signature Date

Division/District Administrator:

Name: Title

Signature Date

Department Designee:

Name: HR Division Administrator
Title

Signature Date